

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

<b>JERRY WEST,</b>	)	
	)	
<b>Plaintiff/Counter-Defendant,</b>	)	
<b>v.</b>	)	<b>Case Number: 3:07-cv-9</b>
	)	<b>Judge: Thomas A. Varlan</b>
<b>ALLSTATE INDEMNITY COMPANY,</b>	)	<b>Magistrate: C. Clifford Shirley, Jr.</b>
	)	<b>JURY DEMAND</b>
<b>Defendant/Counter-Plaintiff.</b>	)	

**AGREED ORDER CORRECTING CAPTION AND STYLE OF CASE**

This Court, having before it the Motion to Correct Caption and Style of Case submitted by the Defendant/Counter-Plaintiff, Allstate Indemnity Company, and noting that the parties are in agreement that the Style and Caption of this case should be corrected for accuracy, finds as follows:

1. This matter was originally filed in the Morgan County Circuit Court, Tennessee, at Wartburg, Tennessee, under case number 6546C, and removed to this Court by Allstate Indemnity Company pursuant to 28 U.S.C.A §1332.
2. In the original Complaint filed in Morgan County Circuit Court, Defendant/Counter-Plaintiff Allstate Indemnity Company was incorrectly named and described as "Allstate Insurance Company." The parties are in agreement that the proper name and legal designation for the Defendant/Counter-Plaintiff is "Allstate Indemnity Company."

3. The home office of Allstate was misidentified in the initial pleadings submitted by the Plaintiff. The home office and principal place of business for Allstate Indemnity Company is Northbrook, Illinois.
4. The parties are in agreement that the proper designation for this matter should be: “Jerry West, Plaintiff/Counter-Defendant, v. Allstate Indemnity Company, Defendant/Counter-Plaintiff” and the Court’s record should reflect that the home office of Allstate is in Northbrook, Illinois.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the designation of the Defendant/Counter-Plaintiff in this matter shall be changed from “Allstate Insurance Company” to “Allstate Indemnity Company.”
2. That this matter shall be known as “Jerry West, Plaintiff/Counter-Defendant, v. Allstate Indemnity Company, Defendant/Counter-Plaintiff” and the caption and style of the pleadings in this case should be labeled appropriately.
3. That the Court’s record reflect that the home office and principal place of business for Defendant/Counter-Plaintiff Allstate Indemnity Company is Northbrook, Illinois.

The Clerk of Court is hereby ordered to make the necessary changes to the Court’s record of this case to reflect the above findings.

**IT IS SO ORDERED.**

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Judge Thomas A. Varlan  
Magistrate C. Clifford Shirley

**The parties evidence their agreement with this Order by signature of counsel below:**

/s/ JAMES W. BROOKS (With Permission By Michele E. Cooper)

**JAMES W. BROOKS, JR., #011423**

Attorney for Plaintiff / Counter-Defendant

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/s/ MICHELE E. COOPER

**MICHELE E. COOPER, BPR #17312**

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**CERTIFICATE OF SERVICE**

Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system. The Plaintiff's counsel was sent a copy of this Pleading by U. S. Mail as follows:

James W. Brooks, Jr.

Attorney at Law

PO Box 160

Wartburg, TN 37887

on this 16<sup>th</sup> day of January, 2007.

s/ MICHELE E. COOPER

**MICHELE E. COOPER**